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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91267301
Party	Defendant Cantab Risk Research Limited
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MUSECY SM LTD., Opposer, v. CANTAB RISK RESEARCH LIMITED, Applicant.	Opposition No. 91267301 Mark: AUDACITY.PLUS Serial No.: 88806454
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ANSWER TO AMENDED NOTICE OF OPPOSITION

Applicant, Cantab Risk Research Limited (“Applicant”), by and through its counsel, responds as follows to the Amended Notice of Opposition.

[Unnumbered Paragraph]. Applicant denies that Opposer will be damaged by registration of the mark shown in the above-identified application. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the remaining allegations in the Unnumbered Paragraph and therefore denies them.

1. Applicant states that while the USPTO records for the registration referred to in Paragraph 1 and Exhibits A-B speak for themselves, Applicant lacks knowledge and information sufficient to form a belief as to the truth of the contents of the USPTO records, and therefore denies the allegations in Paragraph 1. Applicant further denies the allegations in Paragraph 1 to the extent they are different from or claim more than what is set forth in the USPTO records. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1 and therefore denies them.

2. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 and therefore denies them.

3. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 and therefore denies them.

4. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 and therefore denies them.

5. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 and therefore denies them.

6. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 and therefore denies them.

7. Applicant states that the USPTO records for the application identified in Paragraph 7 speak for themselves.

8. Applicant admits the allegations contained in Paragraph 8.

9. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 with respect to Opposer's first use in commerce of Opposer's Mark and therefore denies them. With respect to the allegations in Paragraph 9 that constitute legal conclusions, no response is required and to the extent that a response is required, Applicant denies these allegations.

10. Applicant states that while the USPTO records identified in Paragraph 10 speaks for itself, Applicant lacks knowledge and information sufficient to form as a belief as to the truth of the content of Opposer's USPTO records, and therefore denies these allegations in Paragraph 10. Applicant further denies the allegations of Paragraph 10 to the extent they are different from or claim more than what is set forth in these USPTO records. With respect to the allegations in Paragraph 10 that constitute legal conclusions, no response is required and to the extent that a response is required, Applicant denies these allegations.

11. Applicant admits its applied for mark contains the term AUDACITY.
Applicant otherwise denies the allegations in Paragraph 11.

12. Applicant denies the allegations in Paragraph 12.

13. To the extent the allegations in Paragraph 13 constitute legal conclusions, no response is required and to the extent a response is required, Applicant denies these allegations.

14. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 regarding the group of consumers targeted by Opposer and therefore denies them. Applicant otherwise denies the allegations in paragraph 14.

15. To the extent the allegations in Paragraph 15 constitute legal conclusions, no response is required and to the extent a response is required, Applicant denies these allegations. Applicant lacks knowledge and information sufficient to form a belief as to the truth of the allegations in Paragraph 15 regarding Opposer's goods and services, length of use, channels of trade, and other market conditions, and therefore denies them. Applicant denies the remaining allegations in Paragraph 15.

16. Applicant admits the allegations in Paragraph 16, but expressly denies that any permission or approval to use the applied-for mark was or is required.

17. To the extent the allegations in Paragraph 17 constitute legal conclusions, no response is required. Applicant denies that Opposer will be damaged by registration of the mark shown in Application Serial No. 88806454.

18. Applicant denies the allegations in Paragraph 18.

19. Applicant denies the allegations in Paragraph 19

WHEREFORE, Applicant respectfully requests that the Board dismiss the opposition with prejudice and allow the Application to proceed to registration.

April 8, 2021

Respectfully submitted,

/Nadya C. Davis/

Nadya C. Davis

Lian B. Ernette

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CERTIFICATE OF SERVICE

The undersigned certifies that the attached ANSWER TO AMENDED NOTICE OF OPPOSITION was served on the below-identified counsel for Opposer on April 8, 2021 by email as indicated below:

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